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Patent and Trademark Office U.S. DEPARTMENT OF COMMERCE**UTILITY
PATENT APPLICATION
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under 37 CFR 1.53(b))

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First Named Inventor: Piyush Gupta

Title: Method and System for Conducting Reserve Request Reversal Auctions for Electronic Commerce

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EL714233097US

Shannon Lester

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:Assistant Commissioner for Patents
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Washington, DC 20231

1. ☐ Fee Transmittal Form
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2. ☒ Applicant claims small entity status.
3. ☒ Specification -- Total Pages
(preferred arrangement set forth below)
- Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) -- Total Sheets
5. ☒ Oath or Declaration (unsigned) -- Total Pages
- a. ☐ Newly executed (original or copy)
 - b. ☐ Copy from a prior application (37 C.F.R. § 1.63(d))
(for continuation/divisional with Box 16 completed)
 - i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. §§ 1.63(d) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76
7. ☐ CD-ROM or CD-R in dup, lg. table or Comp. Prog (Appendix)

8. ☐ Nucleotide and/or Amino Acid Sequence Submission
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 - i. ☐ CD-ROM or CD-R (2 copies); or
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ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 C.F.R. §3.73(b) Statement ☐ Power of Attorney
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☐ Request and Certification under 35 U.S.C. 122(b)(2)(B)(i).
Applicant must attach form PTO/SB/35 or its equivalent.
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17. ☐ Other:

18. ☒ If a **CONTINUING APPLICATION**, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76.


☐ Continuation ☐ Divisional ☒ Continuation-in-part (CIP) of prior application No: 09/441,031
Prior application information: Examiner: Not assigned Group/Art Unit: 2756

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

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APPLICATION FOR UNITED STATES LETTERS PATENT

FOR

**Method and System for Conducting Reserve
Request Reverse Auctions for Electronic Commerce**

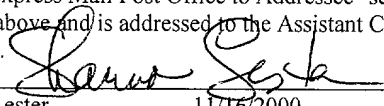
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Shannon Lester

11/16/2000

Method and System for Conducting Reserve Request Reverse Auctions for Electronic Commerce

RELATED APPLICATIONS

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This patent application is a continuation-in-part of the patent application titled "Method and System for Conducting Reverse Auctions for Electronic Commerce" filed on 11/16/99, having serial number 09/441,031. This patent application also claims priority to the provisional patent application titled "Method and System for Conducting

10 Reverse Auctions for Electronic Commerce", filed on 11/16/99, having serial number 60/165,819.

FIELD OF THE INVENTION

15

The present invention relates to the field of electronic commerce. In particular the present invention discloses an arrangement and methods for implementing an electronic market wherein various suppliers compete for the business of purchasers requesting a defined set of products.

20 BACKGROUND OF THE INVENTION

The Internet is a global interconnection of computer networks that share a common set of protocols. Specifically, most computers coupled to the Internet use the well-known Transport Control Protocol layer and the Internet Protocol layer for data

25 communication. The combination of the Transport Control Protocol (TCP) and the

Internet Protocol (IP) is commonly referred to as TCP/IP. By sharing a set of nonproprietary well-defined data communication protocols, the Internet allows almost any computer system to communicate with any other computer system.

5 Sets of higher-level application protocols use the TCP/IP layers for lower level communication. Some of the better-known Internet application protocols include file transfer protocol (FTP), the network news protocol (NNTP), and the simple mail transport protocol (SMTP) for file transfer, discussion groups, and email, respectively.

10 One particular Internet application protocol, the HyperText Transport Protocol (HTTP) has become the dominant application protocol. The HyperText Transport Protocol (HTTP) was created for sharing HyperText Markup Language (HTML) documents. HyperText Markup Language (HTML) documents may include rich multi-media elements such as text, images, audio, and video. The HTTP protocol and the
15 HTML document format enabled the creation of simple to use but media rich documents that could easily be “browsed”. By linking together HTML documents located on various servers throughout the world using embedded hyperlinks, a “World Wide Web” (WWW) of interconnected hypertext documents was created. Due to the simple, yet powerful nature of HTML and HTTP, the World Wide Web (WWW) portion of the Internet has
20 become the most well known form of Internet communication.

 The WWW quickly became a new mass media system for information distribution. With the help of advertising support, new media companies have created thousands of news, sports, entertainment, and special interest web sites.

25

The HTML and HTTP standards have been amended to handle two-way communication. Specifically, an HTTP server may present an HTML “form” to a user’s web browser. That HTML form may be filled-in by the user and send back to the HTTP server. Using a processing system often known as Common Gateway Interface (CGI) script, the HTTP server can obtain the information from the returned HTML form. These interactive HTML/HTTP techniques have been used to create commercial WWW sites that can perform financial transactions. Internet-based retailers, stockbrokers, banks, etc now conduct a very large amount of commercial activity. Thus, the Internet has become the new frontier of commerce. Internet based commerce has been growing at an exponential rate during the late 1990s.

Internet based commerce involves a unique set of parameters that cause Internet based commerce to be very different from ordinary storefront based commerce. With the Internet commerce, a transaction can take place between consumer located anywhere and a merchant located anywhere. Furthermore, the computers used during an Internet commerce based transaction may perform a number of functions to facilitate the transaction. For example, the computer systems may be used to search databases for a particular item, determine availability, calculate total costs including tax & shipping, etc.

These specific parameters of Internet commerce have been partially exploited by some Internet merchants to produce shopping experiences that cannot be obtained with storefront merchant. For example, eBay, Inc. (<http://www.ebay.com/>) has created a large auction site that matches large numbers of individuals with unique items to sell with large numbers of purchasers. The purchasers may search for specific items available for auction using a hierarchical category system or a brute-force search. Thus,

by using computer technology, eBay has been able to create a large auction market for individual items.

5 One difficulty with the eBay market system is that the purchaser must perform a significant amount of work to purchase a designed product. First, the purchaser must locate the desired product. Since there is no consistent set of products available, the purchaser must periodically check back to see if the desired product is available. When a desired product is located, the purchaser must then compete with other purchasers to obtain the desired product.

10

Even using traditional catalog style Internet retailers is a chore for purchasers. To obtain a product price, a purchaser must visit many different retailer sites to compare prices. Even after visiting several different Internet retailers, the purchaser has a difficult time comparing the various offers since the varying price, shipping, 15 handling, and sales tax values must all be taken into account to adequately compare the offers presented by the different retailers. It would be desirable to have alternate market systems that relieve the purchaser from much of the work required to complete a retail transaction. Thus, creating additional new market systems for Internet based commerce would be desirable.

20

SUMMARY OF THE INVENTION

An electronic commerce system based upon reverse auctions is disclosed.

In the electronic commerce system of the present invention, a reverse auctioneer presents

5 a list of available products to consumers. The products may be present to consumers using a web site. The electronic commerce system then accepts requests for products from consumers. When a consumer requests a particular product, the reverse auctioneer presents the request to a set of distributors to begin a reverse auction. The distributors submit offered prices at which the distributor will sell the particular product. The
10 distributors may submit revised offers as the offer price drops. The reverse auction ends after a predetermined amount of time. After the reverse auction ends, the consumer that made the request receives a list of the best offers from various distributors. The consumer may then elect to purchase the product at a price listed in the list of best offers from the various distributors.

15 In a set of alternate "reserve price" embodiments, the consumer must specify an acceptable price for a particular desired product known as a reserve price. The consumer is then committed to purchase the particular product if the reverse auctioneer locates a distributor willing to sell at a price at or below the specified reserve price. After
20 receiving the desired product specification and the reserve price, the reverse auctioneer accepts one bid from each distributor.

In a first reserve price embodiment, the reverse auction immediate ends if an offer below the reserve price is received. In a second reserve price embodiment, the
25 reserve price reverse auction runs for a predetermine time period and the lowest offer

below the reserve price is selected as the winner. If there is no offer below the reserve price, then the user may be present with the received offers and may accept one.

5 In a third embodiment, until the purchaser accepts an offer or a predetermined time period expires. If the user accepts an offer, a transaction with the accepted offer is consummated. If the predetermined time period expires and no offer is below the reserve price, then the user may be present with the received offers and may accept one. If there is at least one offer below the reserve price and at least one other offer (above or below the reserve price), then the system presents the user with the
10 received offers and gives the user a limited time period to select one one. If the user selects an offer, a transaction with the select offer is consummated. If the user fails to select an offer, then a transaction with the lowest received offer is consummated. Finally, if only one offer is received and it is below the reserve price, then a transaction with the single received offer is consummated.

15

Other objects, features, and advantages of present invention will be apparent from the company drawings and from the following detailed description.

BRIEF DESCRIPTION OF THE DRAWINGS

The objects, features, and advantages of the present invention will be apparent to one skilled in the art, in view of the following detailed description in which:

5

Figure 1 illustrates a conceptual diagram of Internet commerce.

Figure 2 illustrates a flow diagram of a regular bid reverse auction.

10

Figure 3a illustrates a flow diagram of a first embodiment of a reserve request bid type of reverse auction.

Figure 3b illustrates a flow diagram of a second embodiment of a reserve request bid type of reverse auction.

15

Figure 3c illustrates a flow diagram of a third embodiment of a reserve request bid type of reverse auction.

Figure 4 illustrates one possible implementation of a reverse auction web site.

20

Figure 5 illustrates one possible implementation of a server application for the reverse auction web site.

DETAILED DESCRIPTION OF THE PREFERRED EMBODIMENT

Notation and Nomenclature

A method and system for conducting Internet commerce is disclosed. In
5 the following description, for purposes of explanation, specific nomenclature is set forth
to provide a thorough understanding of the present invention. However, it will be
apparent to one skilled in the art that these specific details are not required in order to
practice the present invention. For example, the present invention has been described
with reference to the World Wide Web (WWW) and HyperText Transport Protocol
10 (HTTP) technology. However, the same techniques can easily be applied to other types
of electronic information distribution systems.

The detailed description of the present invention in the following are
presented largely in terms of procedures, steps, logic blocks, processing, and other
15 symbolic representations that resemble of data processing devices coupled to networks.
These process descriptions and representations are the means used by those experienced
or skilled in the art to most effectively convey the substance of their work to others
skilled in the art. The present invention is a method and system for performing electronic
commercial transactions. The method along with the system to be described in detail
20 below is a self-consistent sequence of processes or steps leading to a desired result.
These steps or processes are those requiring physical manipulations of physical quantities.
Usually, though not necessarily, these quantities may take the form of electrical signals
capable of being stored, transferred, combined, compared, displayed and otherwise
manipulated in a computer system or electronic computing devices. It proves convenient
25 at times, principally for reasons of common usage, to refer to these signals as bits, values,

elements, symbols, operations, messages, terms, numbers, or the like. It should be borne in mind that all of these similar terms are to be associated with the appropriate physical quantities and are merely convenient labels applied to these quantities. Unless specifically stated otherwise as apparent from the following description, it is appreciated that throughout the present invention, discussions utilizing terms such as “processing” or “computing” or “verifying” or “displaying” or the like, refer to the actions and processes of a computing device that manipulates and transforms data represented as physical quantities within the computing device’s registers and memories into other data similarly represented as physical quantities within the computing device or other electronic devices.

Internet Commerce

Internet based commerce has been one of the fastest growing industries in the late 20th Century. Such a large number of Internet based retailers have launched that a consumer may purchase almost any desired service or product from stocks & bonds to pet food. Traditional store based retailers have been pressured to offer some type of Internet based commerce system in order to compete with a large contingent of upstart “Internet only” retailers.

The Electronic Commerce Framework

Figure 1 illustrates a conceptual diagram of World Wide Web based electronic commerce in which the present invention may be practiced. **Figure 1** illustrates a data network **104** that comprises a plurality of client systems, such as personal computers **110** and **112**, and a number of information server computers such as web server **177** and Internet server **111**. In a preferred embodiment, the data network **104**

is the global Internet. The client computer systems **110** and **112** may execute a Web browser such as Netscape's Navigator or Microsoft's Internet Explorer in order to communicate with servers on the data network **104**.

5 The communication protocol of the World Wide Web (WWW) portion of the Internet **104** is the well known HyperText Transport Protocol (HTTP) or HTTPS, a secure version of HTTP. HTTP is used to transfer information in forms such as HTML or XML (eXtensible Markup Language) between web servers (**111** and **177**) and client computers **110** and **112**.

10 One very simple method of providing electronic commerce is to create a call center staffed with several agents that handle customer purchase requests. **Figure 1** illustrates two agent workstations **120** and **130**. The agent workstations may include a telephone (**121** and **131**) and computer system (**125** and **135**). The telephones may be
15 coupled to a telephone switch **166** that may be a Private Branch Exchange (PBX), an automatic call distributor (ACD), or other appropriate telephony device. In the embodiment of **Figure 1**, the telephone switch **166** may communicate with any phone on the public switched telephone network **154**. Agents at the agent workstations **120** and **130** can handle calls from purchasers and handle their purchase requests. The agent may
20 enter information about customer transactions into computer system coupled to the LAN **170** such as accounting server **173**, database server **175**, or any other system as appropriate. However, note that this simple electronic commerce system is labor intensive in that human agents are needed to conduct transactions with purchasers.

A more efficient method of providing electronic commerce services is to provide a site on the World Wide Web that handles electronic commerce. **Figure 1** illustrates a web server **177** that may host an electronic commerce web site. To conduct an electronic commerce transaction, a purchaser at a client computer system (**110** or **112**) on the Internet **104** may access the web server **177** to locate and purchase offered products and services. After a purchased has placed an order on web site **177**, the web server **177** sends commands to effectuate the transaction to accounting server **173**, database server **175**, or any other system as appropriate.

10 First Generation Electronic Commerce

The initial Internet retailers basically consisted of Internet based catalog stores. A consumer browsed through a set of items available for purchase and informed the Internet retailer when the consumer desired to purchase an offered item. The Internet retailer sites have evolved to offer search facilities to help consumer locate a desired item and automatic suggestion systems that track a particular consumer's interest and suggest items for purchase.

Second Generation Electronic Commerce

A next generation of Internet retailers developed new methods of using Internet and computer technology to change the basic market system. As previously set forth, eBay (<http://www.ebay.com/>) has created a large auction site that matches large numbers of individuals with unique items to sell with large numbers of purchasers. The standard "highest bidder wins" auction format allows bidders to set the market price for an item.

Priceline.com, Inc. (<http://www.priceline.com/>) introduced a new method of selling excess inventory. In the Priceline.com system, a customer specifies a price that the customer is willing to pay for a loosely defined service such as a hotel room or an airline flight between two cities. The priceline.com system then attempts to locate a service supplier that will fulfill the desired service for a price below the customer's specified price. If a match is found, then priceline.com secures the deal and keeps the difference between the customer's stated price and the service provider's price.

Reverse Auction Electronic Commerce

The present invention introduces new methods creating an electronic marketplace. In the method and system of the present invention, a purchaser selects a well-defined product such as a particular brand and model of television set. The purchaser's product request is then provided to a registered set of approved product distributors. In one embodiment, all the approved product distributors have committed to certain defined service levels. The approved product distributors then compete for the business of the purchaser by attempting to offer the lowest price to the customer. Thus, the system of the present invention is similar to the reverse auction system.

The present invention defines several different models of this reverse auction like market system for use on an Internet based electronic commerce web site. A first model is a "Regular Bid" system wherein distributors openly compete with each other for business. Three other implementations are a "Reserve Request" model wherein the purchaser then specifies a price that he is willing to pay for the well-defined product and each approved product distributor is invited to make only one bid for a particular

customer's business. The primary focus of this document is on the "reserve request" implementations, the regular reverse auction will be described to introduce the basic reverse auction format.

5

Regular Reverse Auction Transactions

10 **Figure 2** illustrates the basic flow of a regular bid auction. In a regular bid transaction according to the teachings of the present invention, a purchaser first selects a well-defined product from a specific catalog of products as set forth in step **210**. The catalog of products may be organized into a hierarchical virtual catalog system. Furthermore, a purchaser may search the entire virtual catalog system looking for a particular product by model number, brand, item type, model number, or any other identifier associated with the particular product.

15 If a consumer would like to purchase a defined item, the consumer must register with the reverse auction system as set forth in step **220**. Specifically, the consumer provides information needed to complete a transaction with the reverse auction service such. Note that steps **210** and **220** may be reversed since a purchaser may register before browsing. Furthermore, once a purchaser has registered with the reverse
20 auctioneer, the purchaser does not ever need to register again. Once registered, the consumer may engage in transactions with the reverse auction service.

After a consumer has selected a particular well-defined product for purchase and registered with the reverse auctioneer, the consumer confirms the selection

of the well-defined product that is desired as set forth in step **230**. In one embodiment, the purchaser may also specify a desired price.

5 The reverse auction for the Regular Bid transaction begins by informing a set of approved distributors of the consumer's desired purchase at step **240**. The reverse auctioneer may inform the various approved product distributors using various different electronic communication means such as email, a web site, or other means of electronic data exchange. The reverse auctioneer informs the various approved product distributors of the specified desired product. In one embodiment, the reverse auctioneer may further
10 supply the buyer's specified price. However, the approved distributors are not given the buyer's specific contact information such that the buyer is not bothered nor can the distributor cut the reverse auction provider out of the transaction.

Each distributor will analyze its own specific situation and determine a
15 price that the distributor is willing to offer. As previously set forth, one embodiment requires that the price include all tax and shipping charges. Furthermore, the distributor should take into account the transaction fee that will be paid to the reverse auctioneer. The distributors can view the previously offered distributors prices such that the current market situation is known. When a distributor decides to enter an offer, the method
20 proceeds through step **250** to step **255** where the reverse auctioneer accepts the offer entered by the distributor. If the offer entered by the distributor exceeds the current lowest offer price, then the reverse auctioneer may simply reject that offer. The reverse auctioneer updates the current offered prices as set forth in step **257** (provided that the offer was accepted). As the bidding process continues, the various approved product
25 distributors may offer successively lower prices. Thus, by showing all the approved

product distributor offered prices and allowing the distributors to re-bid, the distributors actively compete for the business of the purchaser.

5 The regular bid reverse auction remains open for specified amount of time (such as 48 hours.) Eventually, the reverse auction will end as set forth in step **250**. The consumer is then provided with a sorted list of the best offers presented by the various distributors as set forth in step **260**.

10 The consumer must then select one of the offers or decide not to purchase as set forth in step **270**. Note that the consumer does not have to actively track the reverse auction such that the consumer obtains a low price without any of the work required in haggling for a desired price. If the consumer decides not to accept any of the offers, the reverse auction has ended and the offers are no longer valid.

15 If the consumer selects one of the approved product distributors' offers, then the reverse auctioneer consummates the transaction using the information supplied by both the consumer and the distributor as set forth in step **280**. The reverse auctioneer collects a transaction fee as set forth in step **290**. The transaction fee may be calculated using a fixed amount, a flat percentage, a scaled percentage, or any other formula.

20

Reserve Request Reverse Auction Transactions

25 The present invention introduces several different types of "reserve request" bids that may be used to implement modified reverse auctions. The basic tenet of the "reserve request" reverse auction models is that a purchaser specifies a reserve

price that the purchaser is committed to honor. Specifically, if any approved product distributor specifies a price at or below the specified reserve price then the purchaser must purchase the specified product.

5 First Reserve Request Reverse Auction Implementation

Figure 3a illustrates a flow diagram describing a first embodiment of a reserve request reverse auction. Referring to **Figure 3a**, the initial steps of having a purchaser browse **310**, collecting purchaser information **320**, and accepting a price from the purchaser **330** are the same as in the previously described regular bid model except that the purchaser must specify a reserve price. The purchaser will be committed to purchase the selected product if a price equal to or less than the reserve price is offered by an approved product distributor.

The reverse auctioneer then presents the desired product information and the purchaser specified reserve price value to the approved product distributors at step **340**. However, the approved distributors are only allowed to submit one offer price. The offer is submitted without the benefit of being able to see the offers from the other distributors participating in the reserve request reverse auction. The reserve request reverse auction will be open for a limited time period. The time period of a reserve request reverse auction may be set to any reasonable amount.

At steps **350** and **355**, the reverse auction waits for qualifying offers from distributors or the reserve request auction to end. Until the auction ends or an offer below the reserve price is received, the reverse auctioneer continues to collect bids in the reserve request reverse auction.

5 If an approved product distributor submits an offer that at or below the purchaser's acceptable price, then the reverse auctioneer ends the reserve request reverse auction and consummates the transaction at step **360**. The reverse auctioneer also collects the transaction fee at step **370**.

10 If the reserve request reverse auction ends without an offer below the acceptable price, then the purchaser is provided with a sorted list of the best offers presented by the various distributors as set forth in step **380**. The purchaser must then select one of the offers or decide not to purchase as set forth in step **385**. If the purchaser decides not to purchase, the reserve request reverse auction has ended and the offers are no longer valid. If the purchaser selects one of the offers from the approved product distributors, then the reverse auctioneer consummates the transaction using the information supplied by both the purchaser and the selected approved product distributor as set forth in step **387**. The reverse auctioneer collects a transaction fee as set forth in step **390**.

Second Reserve Request Reverse Auction Implementation

20 **Figure 3b** illustrates a flow diagram describing a second embodiment of a reserve request reverse auction. Referring to **Figure 3b**, the initial steps of having a purchaser browse for a desired product **311**, collecting purchaser information **321**, and accepting a price from the purchaser **331** are the same as in the previously described reserve request bid model. Again, the purchaser will be committed to purchase the selected product if a price equal to or less than the reserve price is offered by an approved product distributor.

25

The reverse auctioneer then presents the desired product information and the purchaser specified reserve price value to the approved product distributors at step 341. Again, the approved distributors are only allowed to submit one offer price. The offer is submitted without the benefit of being able to see the offers from the other distributors participating in the reserve request reverse auction. The reverse auctioneer continues to accept bids at step 351 for a period of time. The duration of a reserve request reverse auction may be set to any reasonable amount.

After the reserve request auction has ended, the reverse auctioneer determines at step 356 if an approved product distributor has submitted an offer that is equal to or less than the purchaser's reserve price. If there is at least one offer from an approved product distributor that is equal to or less than the purchaser's reserve price, the method proceeds to step 361 to consummate the offer. Normally, the lowest offer is selected. If there are two or more equal lowest offers, then the lowest bid offer was submitted first in time is designated as the "winning" offer. The reverse auctioneer also collects the transaction fee at step 371.

If the reserve request reverse auction ends without an offer below the acceptable price, then the purchaser is provided with a sorted list of the best offers presented by the various approved product distributors as set forth in step 381. The purchaser may then select one of the offers or decide not to purchase as set forth in step 386. If the purchaser decides not to purchase, the reserve request reverse auction has ended and the offers are no longer valid. If the purchaser selects one of the offers from the approved product distributors, then the reverse auctioneer consummates the

transaction using the information supplied by both the purchaser and the selected approved product distributor as set forth in step 388. The reverse auctioneer collects a transaction fee as set forth in step 391.

5 Third Reserve Request Reverse Auction Implementation

Figure 3c illustrates a flow diagram describing a third embodiment of a reserve request reverse auction. Referring to Figure 3c, the initial steps of having a purchaser browse for a desired product 601, collecting purchaser information 602, and accepting a price from the purchaser 603 are the same as in the previously described reserve request reverse auction implementations of Figures 3a and 3b. The purchaser will be committed to purchase the selected product if a price equal to or less than the reserve price is offered by an approved product distributor.

The reverse auctioneer then presents the desired product information and the purchaser specified reserve price value to the approved product distributors at step 604. Each approved product distributor is only allowed to submit one offer price. Each approved product distributor offer is submitted without the benefit of being able to see the offers from the other approved product distributors participating in the reserve request reverse auction.

Referring next to step 605, the reserve request reverse auction of Figure 3c remains open until the purchaser accepts an offer or a time limit for the reserve request reverse auction expires. The reserve request reverse auction time limit may be set to any reasonable amount.

offers during a predetermined time period as set forth in step 650. Often purchasers will select higher priced offers from local merchants in order to speed delivery or simplify returns.

5 Referring to step 670, if the purchaser selects a particular offer within the predetermined time period, then the system will use that selected offer as the transaction to consummate. If the purchaser does not select a particular offer within a predetermined time period, then the system will use the lowest offer as the transaction to consummate. The reverse auctioneer then consummates the transaction (the user selected offer or the
10 low offer) using the information supplied by both the purchaser and the selected or lowest approved product distributor as set forth in step 655. The reverse auctioneer collects a transaction fee as set forth in step 657.

Referring back to step 620, if only one offer was received and that one
15 offer was below the purchaser's reserve request price, then that offer is used to consummate the transaction. Specifically, in such a situation the system proceeds to step 630 wherein the reverse auctioneer consummates the transaction with the single offer using the information supplied by both the purchaser and the that approved product distributor that offered a price below the purchaser's reserve price as set forth in step 630.
20 The reverse auctioneer also collects a transaction fee as set forth in step 635.

Implementation Details

Figure 4 illustrates one possible implementation of a World Wide Web
25 (WWW) based reverse auction system. In the embodiment of **Figure 4**, a WWW server

437 interacts with client computer system 410 and 412 across the Internet. The server 437 may be any standard WWW server. Many of the web pages served by WWW server 437 may be static web pages that have been created by web designers. Other web pages may be automatically pre-generated by utilities 470 that generate HTML web pages from database content. For example, utilities 470 may be used to pre-generate web pages for each product in the product database (productDB). The static web pages and pre-generated web pages may be stored in file system 460 for fast access.

When the reverse auction system needs to obtain information from a client computer system (such as 410 or 412), the WWW server 437 may server a web page with an HTML form. When the client system returns the form, the server application 450 processes the form to extract the data. For example, when a consumer registers with the reverse auction system, the consumer will enter identification and credit information into an HTML form. The completed form will be passed back to the WWW server 437 with a secure connection. For example, a Secure Socket Layer (SSL) connection may be used to transport the completed form. The WWW server 437 will pass the form information to server application 450. The server application 450 processes the form to obtain the needed data.

The server application 450 may store the extracted data into a database 480. In one embodiment, the database 480 is an RDBMS database system. The database 480 may comprise many different distinct databases. The databases may include

ProfileDB: The ProfileDB contains profile data about all the users of the system (including buyers, sellers, and administrative users). The profile will include typical contact information such as name, username, password, authentication information, address, telephone numbers, etc. For buyers, the profile may also include credit information, browsing history, buying history, and other information. For sellers, the profile may also include

authorizations, subscriptions, agent configuration parameters, business models selected, reporting preferences, etc.

- 5 NeedDB/BidDB: The NeedDB stores information on needs listed for the various auctions. BidDB contains appropriate information about active seller bids for the various active auctions.
- OrderDB: Contains information about all the orders placed by buyers, processed by sellers, the order status, historical information, and other information.
- Product DB: Holds the entire product catalog containing information about all the products available for purchase. The Product DB further includes domain specific rules used by cross-selling systems, information needed to render "paid" content such as advertising.
- 10 HistoryDB: Contains historical and audit information about needs listed, bids against the needs, orders processed, audit of operations, and other historical information needed for detailed analysis of buyer and seller behavior.
- 15 AdminDB: The AdminDB is the repository of frequent buyer program information, browse and grouse corners, and administrative parameters to control the run-time management of the reverse auction web site and servers, reports and reporting parameters.

20 The server application **450** also dynamically generates HTML pages in response to user actions. The server application **450** passes the dynamically generated HTML pages to the WWW server **437** such that such pages may be displayed to the browsers accessing the WWW server **437**.

25 The server application **450** may further interact with consumers and sellers via email. Specifically, the server application **450** may generate email messages to send out and then pass those generated email messages to email server **490**. The email server **490** relays the generated mail messages to the appropriate destinations.

Server Application

30 As set forth in the previous section, the server application **450** performs much of the custom operations for the reverse auction system. This section further defines the operation of the server application **450**. **Figure 5** illustrates a conceptual diagram of one embodiment of the server application. The particular embodiment of the

server application **500** in **Figure 5** has been coded in Java. However, any other programming language and environment may be used.

Referring to **Figure 5**, the server application **500** has a presentation layer **510** that interacts with the web server for the reverse auction system. The presentation layer **510** receives requests from browsers accessing the reverse auction web site and handles those requests. The presentation layer **510** handles such requests by making calls into other components and formulates dynamic HTML pages for responses.

The presentation layer **510** accesses several data objects to help perform its processing functions. In one embodiment, each of the various business entities has its own object type. For example there is a Buyer object for the buyer entity, a Request object for the request entity, and a Bid object for the bid entity. The data objects provide an object representation to encapsulate the data in the relational table in the database. In addition, there are corresponding "manager" objects that create, instantiate, search, and destroy data objects. For example, **Figure 5** illustrates a set of DataObject managers **530** that each manages a particular type of data object. **Figure 5** further illustrates a set of DataObjects **540** that are managed by the DataObject managers **530**. The various DataObject managers **530** and DataObjects **540** make references to the database **580**. The references may be made with Java DataBase Calls (JDBC).

There is also a set of processing objects (not shown). The processing objects run in the background and process various incoming events such as a new request, a new submitted offer, an auction closing, or any other incoming event.

The foregoing has described an electronic commerce based reverse auction system. It is contemplated that changes and modifications may be made by one of ordinary skill in the art, to the materials and arrangements of elements of the present invention without departing from the scope of the invention.

CLAIMS

We claim:

1 1. A method of performing electronic commerce, said method
2 comprising:
3 listing a set of available products to a set of consumers;
4 accepting a request for a specific product from a particular consumer;
5 accepting a reserve price for said specific product from said particular consumer,
6 said reserve price comprising a price acceptable to said particular consumer;
7 distributing said request for said specific product and said reserve price to a set of
8 sellers;
9 accepting, for a predetermined time period, one offer from each said seller in said
10 set of sellers, each said offer comprising an offer price specifying a price at
11 which an associated sell will sell said specific product; and
12 consummating a transaction if at least one of said offers contains an offer price
13 less than said reserve price.

1 2. The method as claimed in claim 1 wherein listing a set of available
2 products comprising operating a World Wide Web site with a catalog of products.

1 3. The method as claimed in claim 2 wherein said catalog of products
2 is searchable.

1 4. The method as claimed in claim 2 wherein said World Wide Web
2 site comprises a hierarchical directory of products.

1 5. The method as claimed in claim 1 wherein accepting a request for a
2 specific product from a particular consumer comprises receiving an HTML form.

1 6. The method as claimed in claim 1 wherein distributing said request
2 for said specific product to a set of sellers comprises creating a web page that specifies
3 said request for said specific product and said reserve price.

1 7. The method as claimed in claim 1 wherein distributing said request
2 for said specific product to a set of sellers comprises sending an email to at least one
3 seller that specifies said request for said specific product and said reserve price.

1 8. The method as claimed in claim 1 wherein accepting offer prices
2 from sellers comprises receiving an email that specifies an offer price for said specific
3 product.

1 9. The method as claimed in claim 1 wherein accepting offer prices
2 from sellers comprises receiving an HTML form page that specifies an offer price for said
3 specific product.

1 10. The method as claimed in claim 1 further comprising:
2 displaying a list of offers to said particular consumer if no offers are below said
3 reserve price.

1 11. The method as claimed in claim 10 wherein displaying a list of best
2 offers comprises sending an email message specifying said a list of offers to said
3 particular consumer.

1 12. The method as claimed in claim 10 wherein displaying a list of best
2 offers comprises generating a web page specifying said a list of offers.

1 13. The method as claimed in claim 10, said method further
2 comprising:
3 receiving a designation of one of said offer prices from said particular consumer;
4 and

5 consummating a transaction between said particular consumer and a seller that
6 offered said designated offer price.

1 14. The method as claimed in claim 13 wherein identification
2 information associated with said particular consumer is provided to said seller that
3 offered said designated offer price only after said particular consumer has designated said
4 seller.

1 15. The method as claimed in claim 13 wherein identification
2 information associated with said seller that offered said designated offer price is provided
3 to said particular consumer only after said particular consumer has designated said seller.

1 16. The method as claimed in claim 1, said method further comprising:
2 accepting a transaction fee after consummating said transaction.

1 17. The method as claimed in claim 1, said method further comprising:
2 accepting a consumer registration, said consumer registration comprising
3 information from a consumer required to consummate a transaction between
4 said consumer and a seller.

00977-4851260

1 18. The method as claimed in claim 1 wherein consummating a
2 transaction if at least one of said offers contains an offer price less than said reserve price
3 comprising consummating an offer containing the lowest offer price.

1 19. The method as claimed in claim 18 wherein consummating a
2 transaction if at least one of said offers contains an offer price less than said reserve price
3 comprising consummating an offer received earlier in time if there are two equal lowest
4 offers.

1 20. A method of performing electronic commerce, said method
2 comprising:
3 listing a set of available products to a set of consumers;
4 accepting a request for a specific product from a particular consumer;
5 accepting a reserve price for said specific product from said particular consumer,
6 said reserve price comprising a price acceptable to said particular consumer;
7 distributing said request for said specific product and said reserve price to a set of
8 sellers;
9 accepting one offer from each said seller in said set of sellers until said particular
10 consumer accepts one of said offers or a first predetermined time limit expires,
11 each said offer comprising an offer price specifying a price at which an
12 associated sell will sell said specific product; and

13 consummating a transaction if at least one of said offers contains an offer price
14 less than said reserve price.

1 21. The method as claimed in claim 20, said method further
2 comprising:
3 displaying a set of offer prices from said sellers to said particular consumer after
4 said first predetermined time limit has expired if no offer price is at or below
5 said acceptable price;
6 allowing said particular consumer to select on of said offers.

1 22. The method as claimed in claim 20, said method further
2 comprising:
3 immediately consummating a transaction between said particular consumer and a
4 particular seller if said particular consumer accepts an offer from said
5 particular seller.

1 23. The method as claimed in claim 20 wherein listing a set of
2 available products comprising operating a World Wide Web site with a catalog of
3 products.

1 24. The method as claimed in claim 23 wherein said catalog of
2 products is searchable.

1 25. The method as claimed in claim 23 wherein said World Wide Web
2 site comprises a hierarchical directory of products.

1 26. The method as claimed in claim 20 wherein accepting a request for
2 a specific product from a particular consumer comprises receiving an HTML form.

1 27. The method as claimed in claim 20 wherein distributing said
2 request for said specific product to a set of sellers comprises creating a web page that
3 specifies said request for said specific product and said reserve price.

1 28. The method as claimed in claim 20 wherein distributing said
2 request for said specific product to a set of sellers comprises sending an email to at least
3 one seller that specifies said request for said specific product and said reserve price.

1 29. The method as claimed in claim 20 wherein accepting an offer
2 price from a seller comprises receiving an email that specifies an offer price for said
3 specific product.

1 30. The method as claimed in claim 20 wherein accepting an offer
2 price from a seller comprises receiving an HTML form page that specifies an offer price
3 for said specific product.

1 31. The method as claimed in claim 20, said method further
2 comprising:
3 immediately consummating a transaction after said first predetermined time
4 period has expired and only one offer has been received and said only one
5 offer contains an offer price below said reserve price.

1 32. The method as claimed in claim 20, said method further
2 comprising:
3 receiving at least one offer with an offer price less than the reserve price and at
4 least one other offer from sellers and therefore performing the substeps of
5 displaying a set of offer prices from said sellers to said particular
6 consumer after said first predetermined time limit has expired if no
7 offer price is at or below said acceptable price;

8 allowing, for a second predetermined time limit, said particular consumer
9 to select one of said offers;
10 consummating a transaction between said particular consumer and a
11 selected if said particular consumer selects one of said offers during
12 said second predetermined time limit; and
13 consummating a transaction between said particular consumer and a seller
14 that offered a lowest offer price if said particular consumer does not
15 select one of said offers during second predetermined time limit.

1 33. The method as claimed in claim 20, said method further
2 comprising:
3 accepting a transaction feed after consummating a transaction.

ABSTRACT OF THE DISCLOSURE

A system of performing reserve request reverse auctions is disclosed. In a first reserve price embodiment, the reverse auction immediate ends if an offer below the reserve price is received. In a second reserve price embodiment, the reserve price reverse auction runs for a predetermine time period and the lowest offer below the reserve price is selected as the winner. If there is no offer below the reserve price, then the user may be present with the received offers and may accept one. In a third embodiment, until the purchaser accepts an offer or a predetermined time period expires. If the user accepts an offer, a transaction with the accepted offer is consummated. If the predetermined time period expires and no offer is below the reserve price, then the user may be present with the received offers and may accept one. If there is at least one offer below the reserve price and at least one other offer (above or below the reserve price), then the system presents the user with the received offers and gives the user a limited time period to select one one. If the user selects an offer, a transaction with the select offer is consummated. If the user fails to select an offer, then a transaction with the lowest received offer is consummated. Finally, if only one offer is received and it is below the reserve price, then a transaction with the single received offer is consummated.

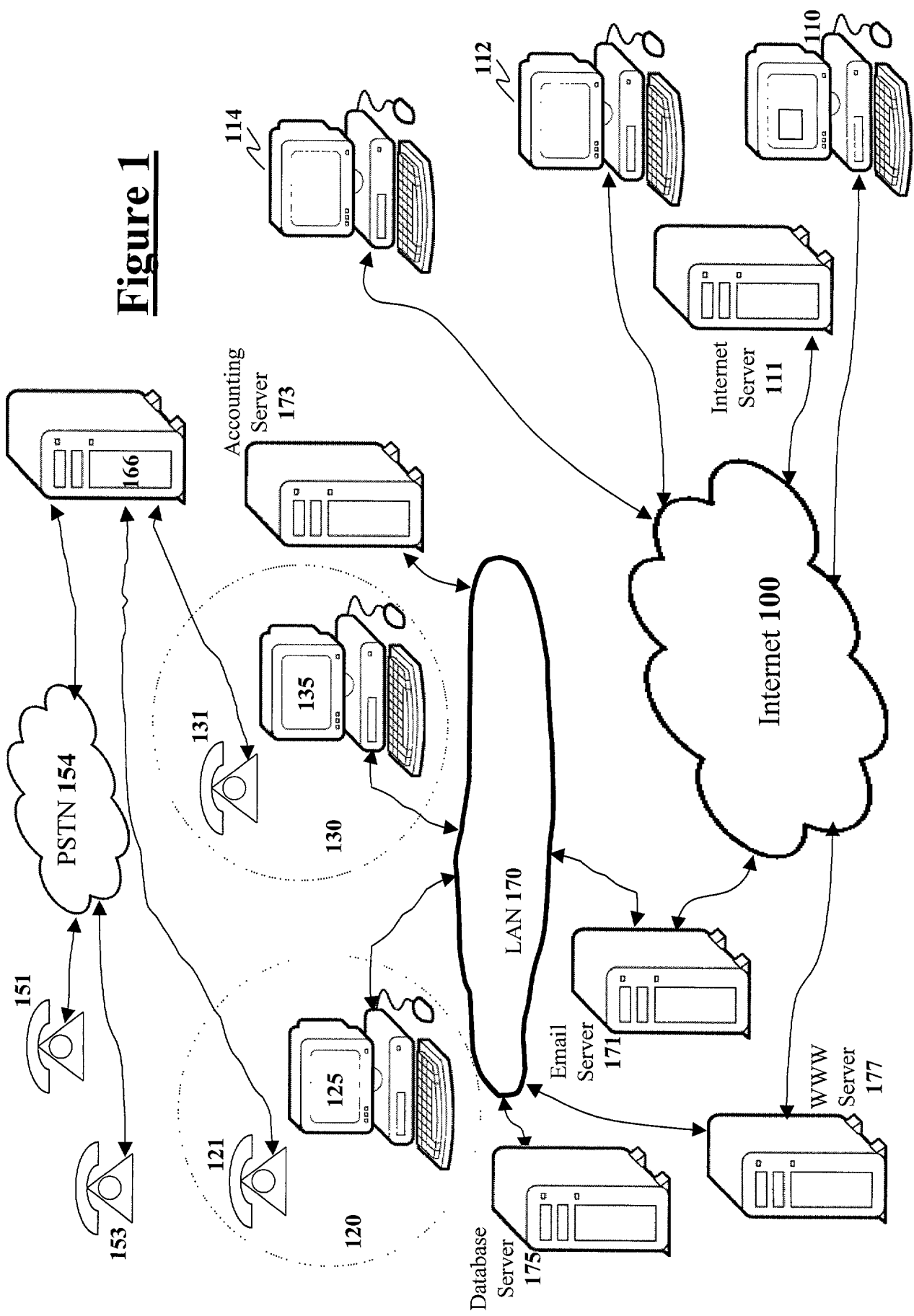


Figure 1

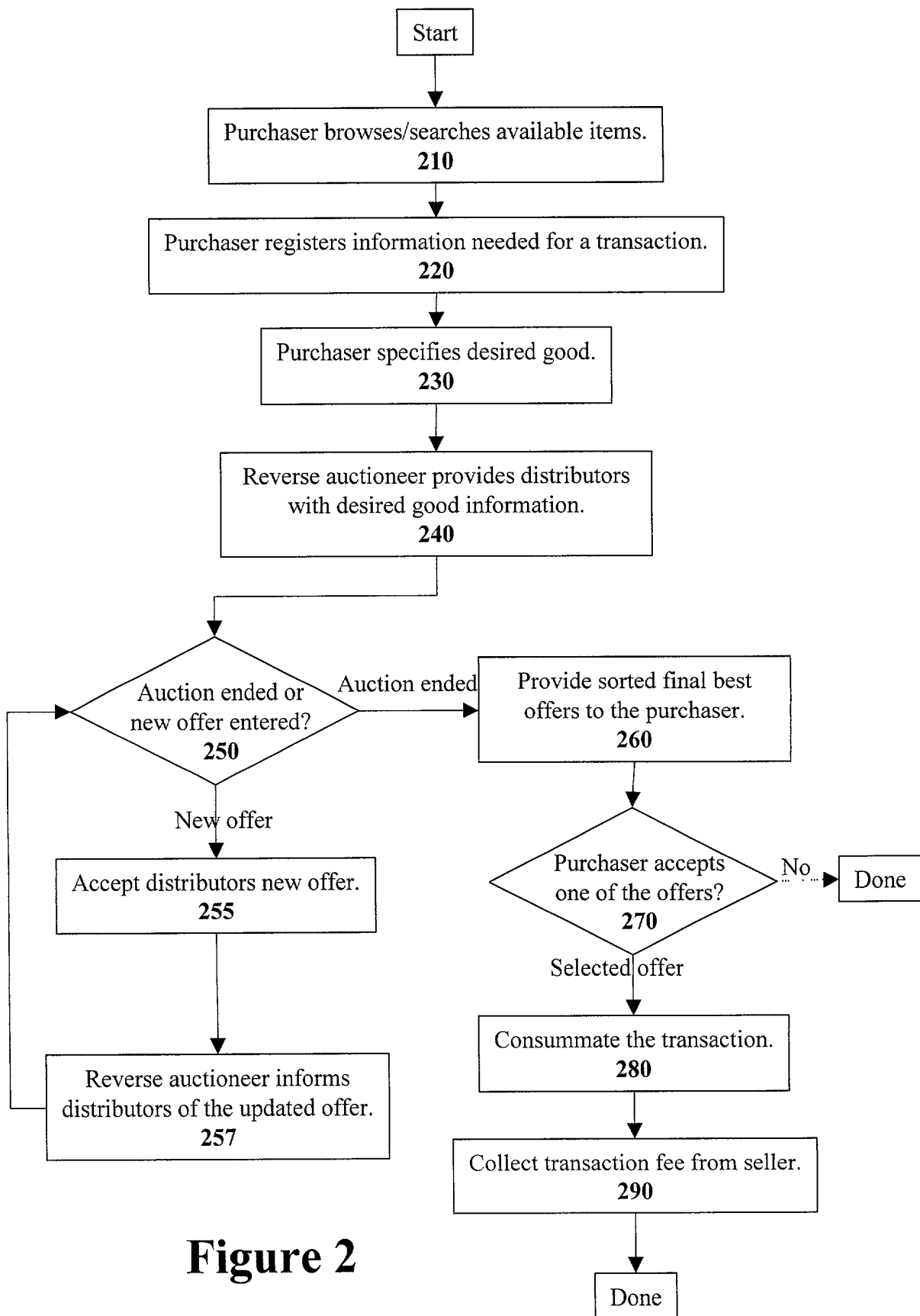
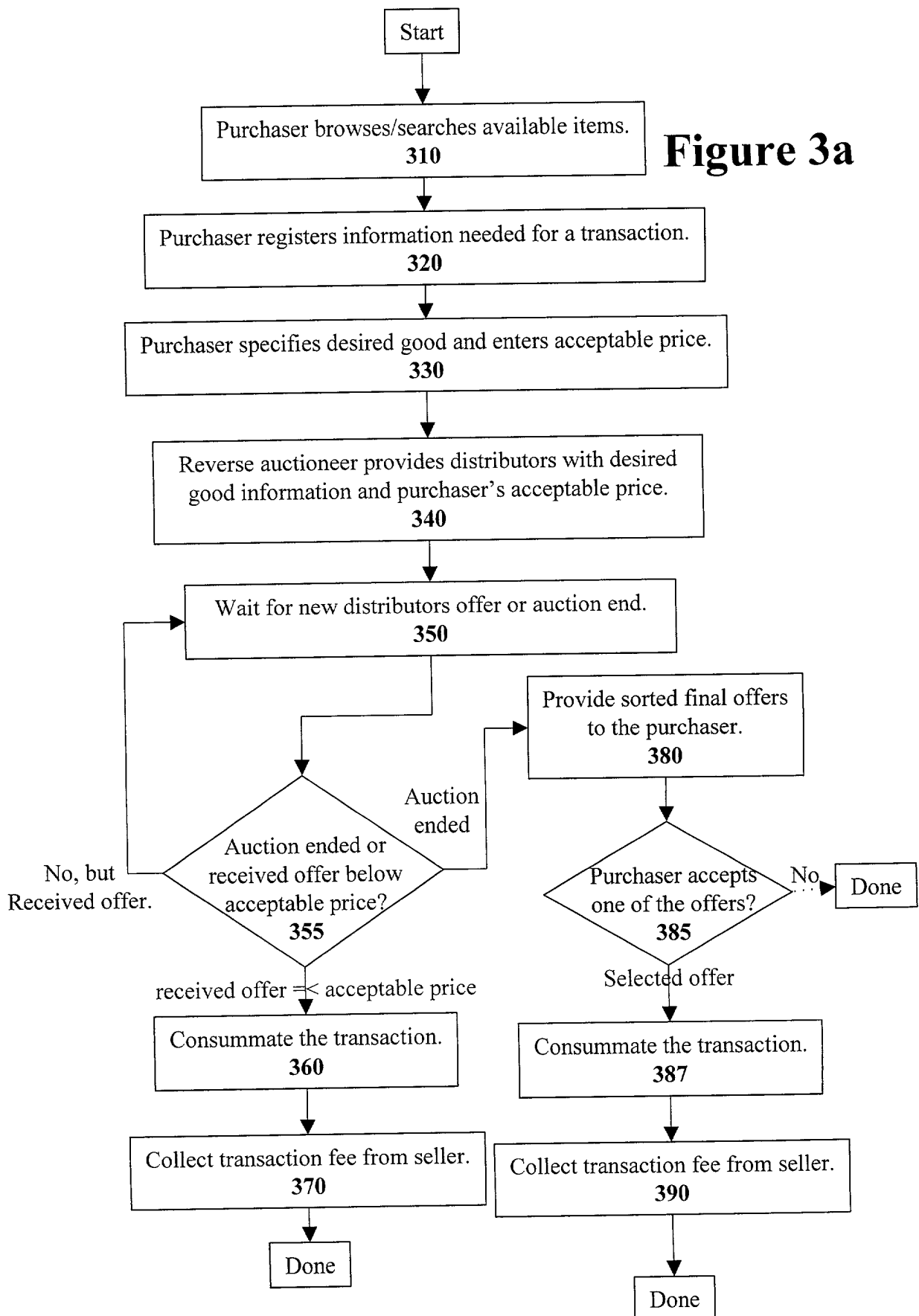
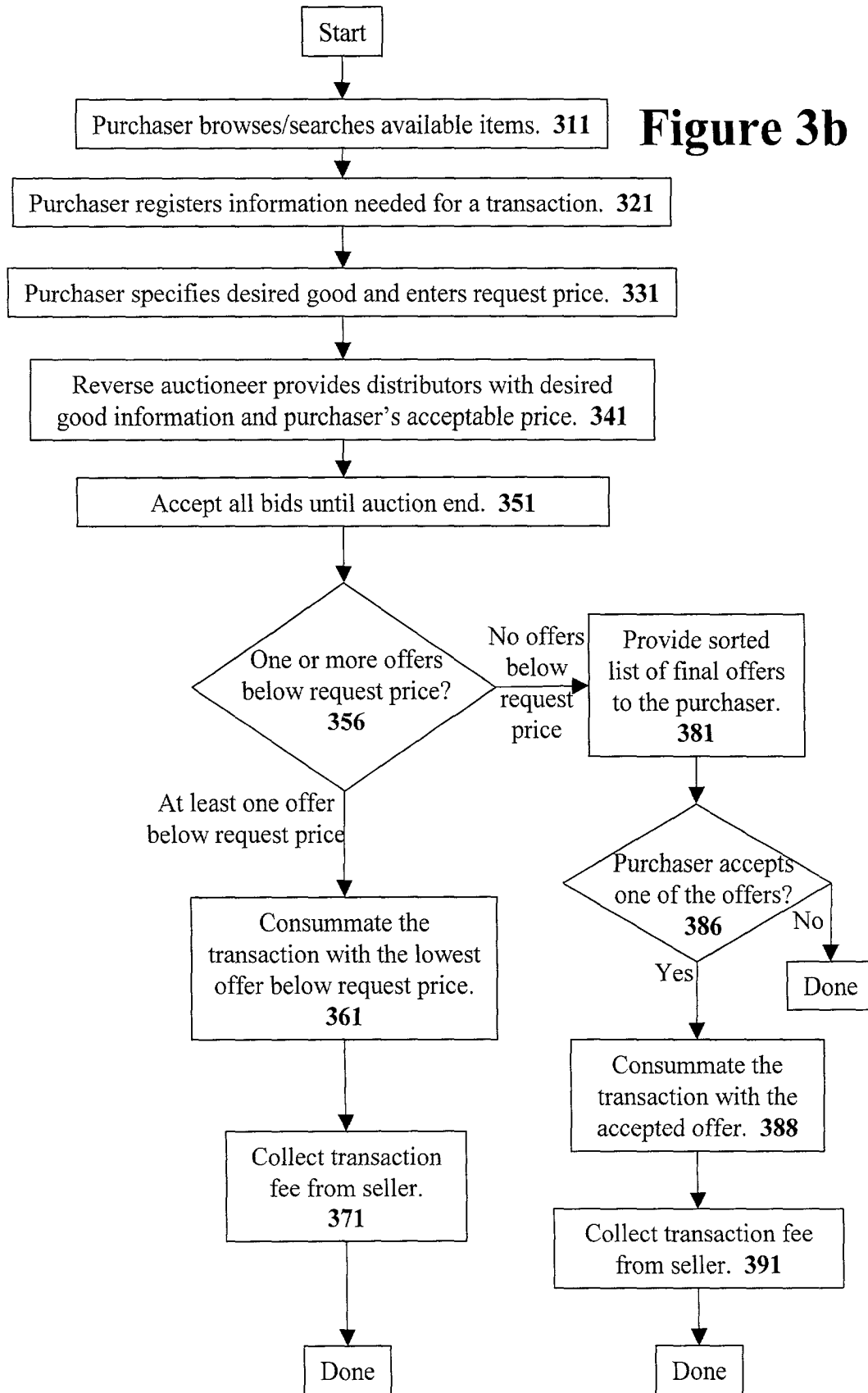


Figure 2





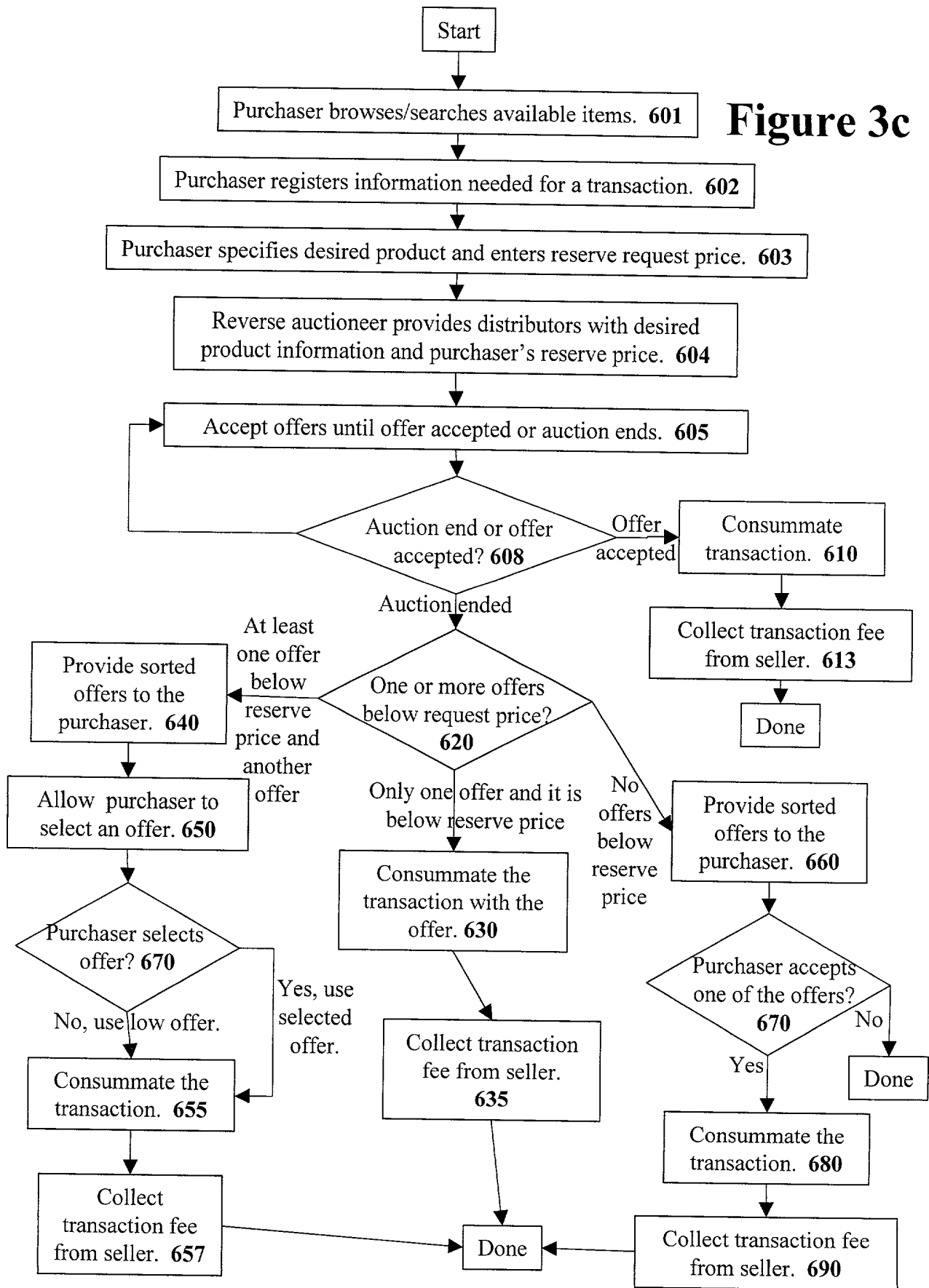
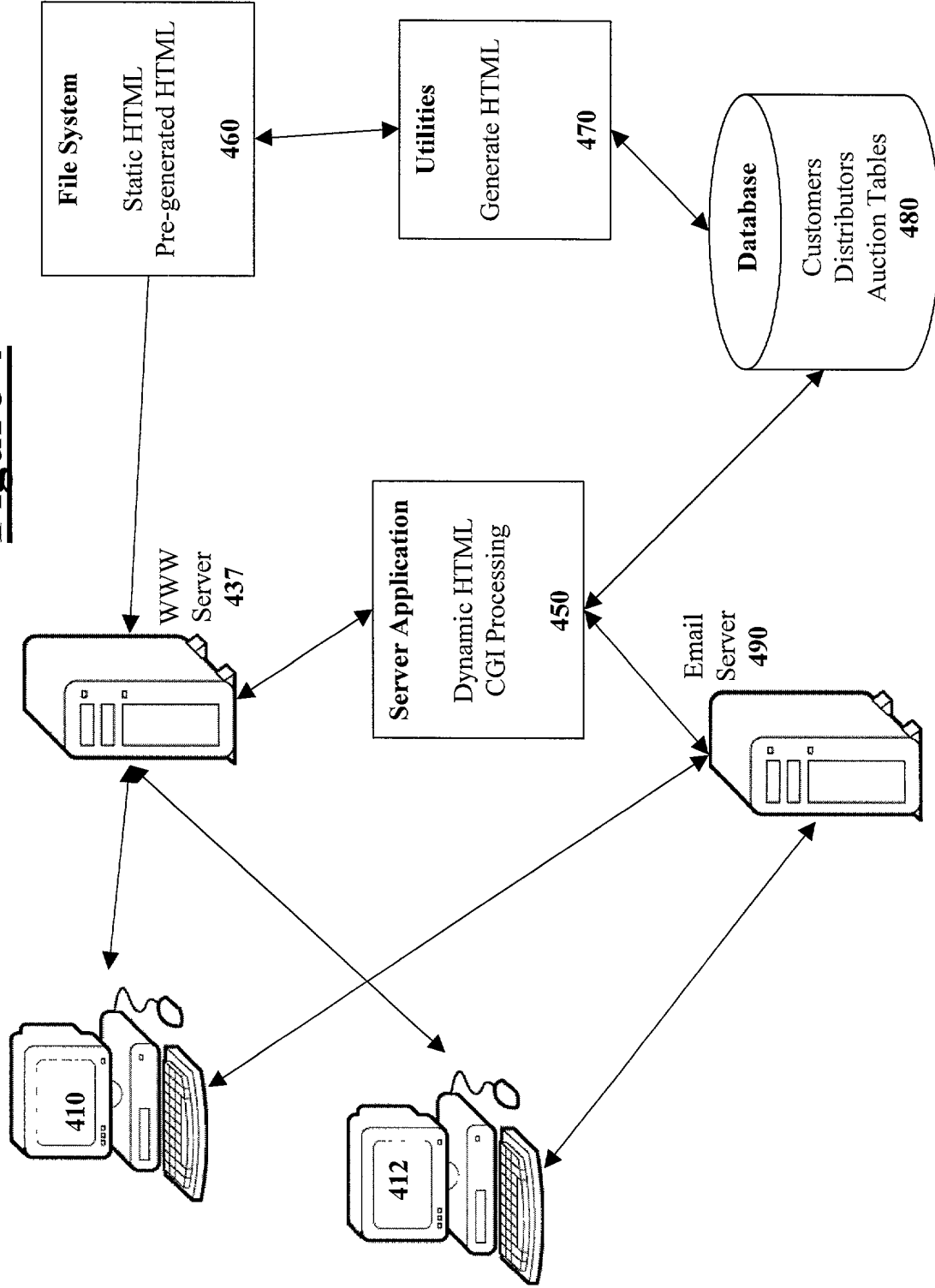


Figure 4



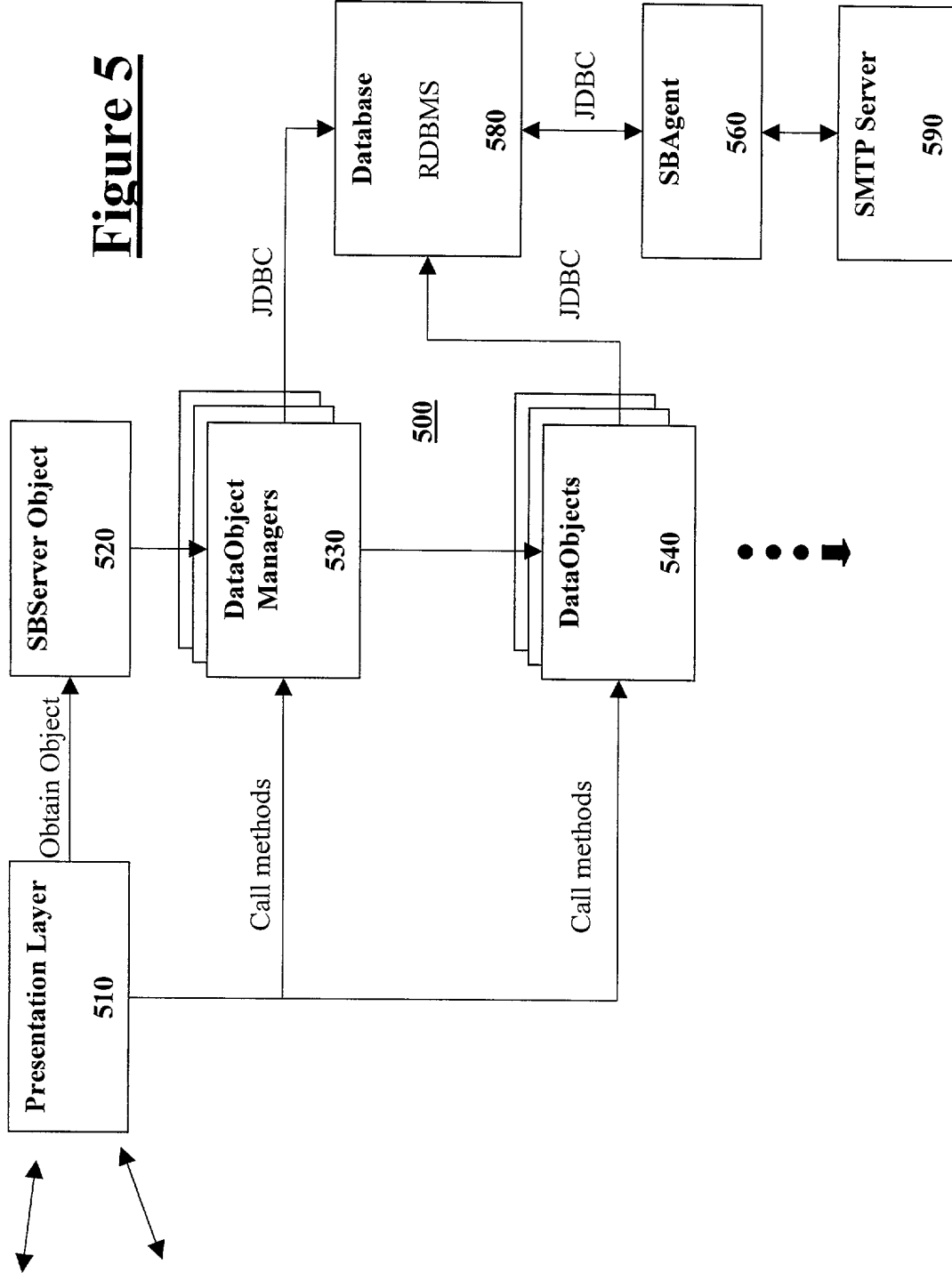


Figure 5

DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below, next to my name.

I believe I am the original, first, and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

METHOD AND SYSTEM FOR CONDUCTING RESERVE REQUEST REVERSE
AUCTIONS FOR ELECTRONIC COMMERCE

the specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment referred to above. I do not know and do not believe that the claimed invention (1) was ever known or used in the United States of America before my invention thereof, (2) was patented or described in any printed publication in any country before my invention thereof or more than one year prior to this application, (3) was in public use or on sale in the United States of America more than one year prior to this application, or (4) was patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months (for a utility patent application) or six months (for a design patent application) prior to this application.

I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 (and reprinted in Appendix A).

Claim of Benefit to Provisional Application(s)

I hereby claim the benefit under title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below:

<u>60/165,819</u>	<u>11/16/99</u>
(Application Number)	(Filing Date)

Claim of Benefit to Prior Non-Provisional Application(s)

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

<u>09/441,0331</u>	<u>11/16/99</u>	<u>PENDING</u>
(Application Number)	(Filing Date)	(Status – patented, pending, abandoned)

Power of Attorney

I hereby appoint the persons listed on Appendix B hereto (which is incorporated by reference and a part of this document) as my respective patent attorneys and patent agents, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith.

Send correspondence to:

Dag Johansen
STATTLER, JOHANSEN & ADELI LLP
P.O. Box 51860
Palo Alto, California 94303-0728

and direct telephone calls to
Dag Johansen, at (650) 934 0470, ext. 101.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of First Inventor Piyush Gupta

Inventor's Signature _____ Date _____

Residence Cupertino, CA Citizenship USA
(City, State) (Country)

Post Office Address 7842 Belknap Drive
Cupertino, CA 95014

APPENDIX A

Title 37, Code of Federal Regulations, Section 1.56
Duty to Disclose Information Material to Patentability

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclosure information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclosure all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

(1) Prior art cited in search reports of a foreign patent office in a counterpart application, and
(2) The closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

(1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or

(2) It refutes, or is inconsistent with, a position the applicant takes in:

(i) Opposing an argument of unpatentability relied on by the Office, or

(ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

(1) Each inventor named in the application;

(2) Each attorney or agent who prepares or prosecutes the application; and

(3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

APPENDIX B

Mani Adeli, Reg. No. 39,585; Dag H. Johansen, Reg. No. 36,172; John Stattler, Reg. No. 36,285, Anand Sethuraman, Reg. No. 43,351; my patent attorneys, of STATTLER, JOHANSEN & ADELI LLP, with offices located at 2672 Bayshore Parkway - Suite 304, Mountain View, California 94043, telephone (650) 934-0470, fax (650) 934-0475.